



Land Use and Zoning Meeting Minutes

April 23, 2009

STAFF:	David Radachy
DATE:	10 December 2009
APPROVED BY:	<i>ju3</i>

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 7:00 p.m.

The following members were present: Messrs., Bodnar, Kenyon, Klco, Morse, Terriaco, and Welch, and Messes. Diak and Ross. Staff: David Radachy.

Staff introduced Jeff Kenyon. Mr. Kenyon was appointed to fulfill the remainder of Mr. Ed Hazel's term. Mr. Kenyon is a member of the Leroy Township Zoning Commission. The rest of the committee members introduced themselves.

There is one case.

Madison Township- Text Amendment adding Lodging Houses as accessory use to Golf Courses in A-1, Agriculture – 1 District

Staff stated that Thunder Hill Golf Club applied for this text change. They wish to operate a lodge house for extended stays as an accessory use to the golf course. Currently, golf courses are not a permitted use and neither are lodging houses in an A-1 district. The language that is present will be to add golf courses as a permitted use and lodging houses would be accessory use to the golf course. You would need to be operating a golf course in order to have a lodging house.

Staff stated that the 1994 Comprehensive Plan does not address this issue. The staff of the Planning Commission aided Madison Township in writing a new Comprehensive Plan. This plan is in the process of being approved by the Madison Township Trustees. Mr. Klco stated that it would be approved in the next two weeks.

Staff stated that this text change may affect Powderhorn Golf Course. They are also zoned A-1 and they would be permitted to have lodging houses as an accessory use. The committee asked about Erie Shores Golf Course and Peppertree Golf Course. Staff stated that neither would be affected by this change because they are not zoned A-1.

Staff stated that they like the concept of a lodging house, but they had a few suggestions.

Staff stated that "golf course" should be added as a conditional use under section 104.1.9 (Conditional Use Permits). Conditions would be required to be added to section 142. Here are some conditions that should be considered:

1. The proposed use shall not generate excessive noise, odor, dust or smoke beyond the premises.
2. The BZA may require golf courses to be enclosed by a fence in compliance with the fence regulations
3. Delivery trucks shall not be used as refreshment stands, souvenir stands or concession stands
4. All activities, programs and other events shall be directly related to the golf course.
5. An adequate number of public restrooms for both men and women shall be provided.
6. When a golf course is located on land residentially zoned then only incidental retail uses such as a snack bar or green fees office shall be permitted. Such a facility shall be provided for the convenience of the customers attending the public or private recreation facility and no sign advertising the retail use shall be permitted.
7. Golf courses, including tees, fairways, and greens shall be designed and landscaped in such manner to prevent a golf ball from landing outside of the golf course.

Staff stated that this may or may not be overkill. All existing golf courses would be grandfathered and would not have to apply for a conditional use permit in order to keep operating as is. Currently conditions in the golf course market in Northeast Ohio are having golf course closings as opposed to opening new ones.

Staff went on to state that "golf course" needs to be defined. A new section should be added, section 104.1.9.1, Accessory Conditional Uses. The reference in the zoning text should then read "Lodging House an accessory conditional use to a golf course." This would require a review and action by the BZA as an accessory conditional use. The zoning resolution would define the conditions of a lodging house in section 142. These conditions could be, but are not limited to:

1. Limiting the number of units on the property.
2. Limiting the number of nights a person can stay at the lodging house. Owners of the lodging house should be required to keep a registry or guest book that can be reviewed by Township Officials.
3. Signage conditions.
4. Parking requirements for the unit.
5. No meals can be prepared and/or served by owners or operators of the lodging house.
6. Evidence that the lodging house has potable water.
7. Evidence that the lodging house is properly served or can be served by an on site sewerage disposal system or sanitary sewer.

Staff stated that these lodging houses were more like bed and breakfasts. Many of the conditions that were presented came from other communities' bed and breakfast text.

The committee asked what the differences were between permitted use, accessory use, conditional use and accessory conditional use. Staff explained the differences.

The committee asked what the lot standards were for a lodging house. Mr. Klco stated that they would have to follow the standard lot size, frontage and all setbacks of the A-1 district.

The committee asked if the staff looked at the definition of lodging house. Staff stated "yes". They looked at the definition and stated they were not very good. The committee asked if staff had any suggestions. Staff stated that they did not have any suggestions, but they could be directed by the committee to research definitions and present a suggestion to the Planning Commission.

Mr. Klco stated that there is a lot of excitement by the local property owners on this use. Many of the landowners will welcome it.

The committee also suggested that "calendar year" be added to limiting the number of nights a person can stay at lodging house.

Ms. Diak made a motion to recommend that golf courses be added as a conditional use and that lodging houses be added as an accessory conditional use. Staff is to research the definition of lodging house and present it to the Planning Commission.

Mr. Bodnar seconded the motion.

Seven voted "Aye".

One voted "Nay".

Motion passed.

Staff went over the results of the meeting time survey. The most popular day has remained Thursdays. The most popular time was 7:00 PM. The second most popular time was 6:30 PM. The committee decided to move the meeting time to 6:30 PM.

Staff discussed the Land Use and Zoning Committee Organization and Procedures with the committee. The committee asked how public comment was going to work. Staff stated that they based it on the Commissioners model and how a couple of other local communities handle public comment. The general public can speak on any issue at the beginning of the meeting and at the end of the meeting. The committee asked if there would be debate between the committee and the public during the review of the zoning text or district changes. Staff stated "no".

The committee asked about the staggered terms. Are members going to have to be appointed for one year or two years in order to get the staggered terms in place? Staff stated that the staggered terms are already in place.

The committee asked how the appointments work. Staff stated that letters are sent to the member and to the township. In the member's letter, the person is asked "Do you wish to continue to serve on the Land use and Zoning Committee?" In the township trustees' letter, they are asked if they wished

to have the member continue to represent the township on the Land Use and Zoning Committee. If both parties say yes, the Chair of the Planning Commission re-appoints the member.

Staff discussed the chair, vice chair and secretary duties. He stated that staff could be the secretary, but not the chair or vice chair. Staff stated that the Planning Commission Director is usually elected as Secretary for the Planning Commission.

Mr. Klco nominated Mr. Terriaco as Chair.

There were no more nominations.

All voted "Aye" for Mr. Terriaco as Chair.

Mr. Morse nominated Ms. Diak as Vice Chair.

There were no more nominations.

All voted "Aye".

Mr. Terriaco nominated David Radachy as Secretary

There were no more nominations.

All voted "Aye".

Mr. Welch made a motion to adjourn.

Mr. Klco seconded the motion.

The meeting adjourned at 7:30 P.M.